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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|--|-------------|----------------------|-------------------------|------------------------|
| 10/645,708   | 08/20/2003  | Lee Eric Kilmer      | 1285.004US2             | 8442                   |
| 21186 7590 05/02/2007<br>SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.<br>P.O. BOX 2938<br>MINNEAPOLIS, MN 55402 |             |                      | EXAMINER<br>WU, YICUN   |                        |
|  |             |                      | ART UNIT<br>2165        | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>05/02/2007 | DELIVERY MODE<br>PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/645,708

Applicant(s)

KILMER ET AL.

Examiner

Yicun Wu

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on rce filed 2/20/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16 and 18-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 and 18-25 is/are allowed.
- 6) ☒ Claim(s) 26, 28-29 and 31 is/are rejected.
- 7) ☒ Claim(s) 27 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

*Yicun Wu*  
*Patent Examiner*  
*Technology Center*  
*2100*

### III. DETAILED ACTION

1. Claims 16, 18-31 are presented for examination.

#### Response to Applicant' Remarks

2. In response to Applicants Amendments and remarks, Claim Rejections under 35 USC § 101 are hereby withdrawn.

(1) . Applicant argues: “Cazemier does not teach following elements as taught by Applicant and claimed in claims 16 and 17-31: (1) a data structure which models an OLAP query in an abstract form compatible with several different OLAP query formats; and (2) a programming interface generating an OLAP query statement in different OLAP structured query formats as pecified by a query object model.”

Examiner disagree. Examiner asserts that Applicant did not claim these features in Applicant's claims 26-31, therefore, The 102 rejection is maintained. And claims 16, 18-25 as amended has been allowed.

#### Claim Objections

3. Claims 27 and 30 are objected to because of the following informalities:

Claims 27 and 30 contains trademark information.

Appropriate correction is required.

**Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 26, 28-29 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated over Cazemier et al., (U. S. Patent No. 6,609,123).

As to claim 26, Cazemier et al. discloses an OLAP query generation engine, executing in a computer, for use with an OLAP query and reporting application that supports a first OLAP server using a first structured query format and supports a second OLAP server using a second structured query format, the engine comprising:

an object model (i.e. metadata model. Col. 3, lines 50-60) including a data structure (fig. 2) that models an OLAP query (fig. 10); and

a programming interface operating on a computer for generating an OLAP query statement (i.e. query specification interface. Col. 3, lines, 50-60) according to the first structured query format when the first structured query format (i.e. data source query. Col. 3, lines, 50-60) is specified by the object model and according to the second structured query format when the second structured query format is specified (i.e. based on the model objects. Col. 3, lines, 50-60).

As to claim 28, Cazemier et al. discloses an engine, wherein the query and reporting application supports first, second and third OLAP servers using first, second and third structured query formats, and the programming interface generates the query statement using the first, second and third structured query formats when the first, second and third structured query formats are specified (i.e. The above embodiments were described using SQL. However, the present invention may use other equivalent language that supported by data source providers (e.g. PowerPlay cubes, which are accessible through MDX). Col. 67, lines 10-15).

As to claim 29, Cazemier et al. discloses a computer-implemented method of generating an OLAP query using a query object capable of supporting a plurality of OLAP servers, each of the OLAP servers using a different structured query format, the method comprising:

determining, based upon a property of the query object, an OLAP server from among the plurality of OLAP servers (i.e. data source query. Col. 3, lines, 50-60 and fig. 3 and 10); and

processing the query object in a computer to generate a query statement (i.e. query specification interface. Col. 3, lines, 50-60) using the structured query format corresponding to the OLAP server determined (i.e. based on the model objects. Col. 3, lines, 50-60).

As to claim 31, Cazemier et al. discloses a method, wherein the query object supports at least three OLAP servers which each uses a different structured query format, and the processing generates the query statement using one of the at least three formats (i.e. The above embodiments were described using SQL. However, the present invention may use other

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equivalent language that supported by data source providers (e.g. PowerPlay cubes, which are accessible through MDX). Col. 67, lines 10-15).

**Allowable subject Matter**

5. Claims 16, 18-25 are allowed over the prior art made of record.

Claims 27 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the objections made above and in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record (Cazemier et al., (U. S. Patent No. 6,609,123) and Malloy et al (U.S. Patent No. 6,122,636)) does not disclose, teach or suggest the claimed limitations of (in combination with all other features in the claims):


wherein the query and reporting application supports a Microsoft Analysis Services OLAP server using the MDX query format and an Hyperion Essbase OLAP server using the RS query format, and the programming interface generates an MDX query statement and an RS query statement when the object model specifies the MDX query format and the RS query format, respectively, as claimed in claims 27 and 30.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yicun Wu whose telephone number is 571-272-4087. The examiner can normally be reached on 8:00 am to 4:30 pm, Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Yicun Wu   
Patent Examiner  
Technology Center 2100

April 26, 2007